

**United States District Court**  
**for**  
**District of New Jersey**  
**Report on Offender Under Supervision**

Name of Offender: Edward Barks

Cr.: 08-00933-001  
PACTS #: 50963

Name of Sentencing Judicial Officer: THE HONORABLE FAITH S. HOCHBERG  
UNITED STATES DISTRICT JUDGE

Newly Assigned Judicial Officer: THE HONORABLE ESTHER SALAS  
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 06/24/2009

Original Offense: Possession of Child Pornography

Original Sentence: Imprisonment - 78 months; Supervised Release - 5 years

Special Conditions: Financial Disclosure, Computer Monitoring, Mental Health Treatment, Restricted Contact with Minors, No New Credit, Polygraph Examination, Sex Offender Registration, Special Assessment Fee - \$100

Type of Supervision: Supervised Release

Date Supervision Commenced: 05/08/2015

**NONCOMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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The offender has violated the supervision condition which states 'The defendant shall not commit another federal, state, or local crime during the term of supervision.'

On July 10, 2018, the offender was arrested by Readington Township Police Officers at his place of employment for issuing terroristic threats. Specifically, the offender was working at Subway fast food restaurant when a female customer approached him and asked why he was staring at four black males and two white males who were in the restaurant. The female customer asked the offender if he was racist because of the manner in which he was staring at the other customers, and the offender reportedly replied that he was not racist but full of hate. During a heated argument with the customer, he then continued by stating that sometimes he felt he would like to kill her and everyone in the restaurant.

It is noted that the offender did not lose his job at the Subway restaurant. The employer related to the undersigned officer that he was of the opinion that the offender was watching the four males because he was not sure what they were doing. He added that he felt the female customer was out of line and created the situation. The employer did not feel that the offender was a threat to anyone; rather, just that he responded in an inappropriate manner to the female customer.

It is further noted that the arresting officer corroborated the information provided by the employer about the female customer. The officer indicated that the situation appears to have involved an irate customer, who took her frustrations out on the offender, who in turn responded in an inappropriate manner.

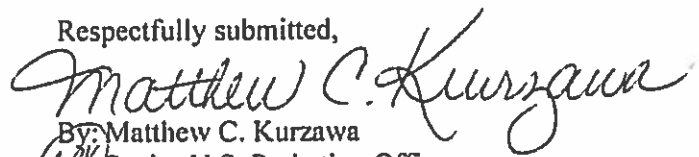
The offender appeared in Court on July 12, 2018, at which time the matter was set for another appearance on August 13, 2018. At this time, the matter remains at the municipal court level and is pending.

**U.S. Probation Officer Action:**

The offender was confronted about his actions leading to his arrest and was advised how to better handle difficult customers in the future. He was counseled regarding the seriousness of issuing threats during stressful situations and other options available to him. A drug test was conducted directly after his arrest, which was negative. Our office will refer the offender to anger management and/or mental health counseling as appropriate and monitor his behavior at his place of employment.

At this time, we would like to opportunity to monitor this situation as the case is adjudicated through the system. The offender has no history of violence, and he has been fully compliant with his supervision term during the past three years. As such, the undersigned officer respectfully recommends no further action at this time, and that this signed Probation Form 12A serve as an official reprimand from the Court. Should this pending matter be referred to a higher court, the undersigned officer will advise Your Honor and initiate the appropriate violation proceedings.

Respectfully submitted,



By: Matthew C. Kurzawa

Senior U.S. Probation Officer

Date: 07/13/2018

*Please check a box below to indicate the Court's direction regarding action to be taken in this case:*

- ☒ No Formal Court Action to be Taken – Document to Serve as an Official Judicial Letter of Reprimand
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other

  
Signature of Judicial Officer  
ESTHER SALAS, U.S. D. J.

Date  
July 16, 2018